

July 25, 2019

2:00 pm

Notes from EPA & North Carolina DAQ FY2020 Inspection Planning Conference Call Meeting

EPA Region 4

César A. Zapata, Acting Branch Chief AEB

Todd Russo, Section Chief, AEB

Jason Dressler, Acting Section Chief, AEB

Kevin Taylor, Note Writer

Todd Groendyke

North Carolina, Department of Environment and Natural Resources, Division of Air Quality (DAQ)

Michael Abraczinskas, Director

Michael Pjetraj, Deputy Director

Steve Hall, Technical Services Section Chief

The discussion led with introductions. César Zapata greeted the DAQ team and noted his role as acting branch chief for the AEB. Jason Dressler also noted his role as acting section chief. Todd Russo discussed the reorganization and some of the new areas, such as EPCRA, Asbestos, CERCLA, that are now with the AEB.

Todd Russo described the conversion from the NEI to the NCI and outlined the three NCI areas of focus for the FY20-23 time period.

1. The first area was Creating Cleaner Air..., which was shortened to Reducing Excess Emissions. This area will focus on reducing VOC emissions in nonattainment and maintenance areas and reducing HAP emissions. AEB will continue to work in the areas that have been recently investigated. The first area is NESHAP 6B, which has been an area that AEB has worked in and has found problems, including some multistate issues. AEB went through the list of proposed inspection facilities in the Charlotte area. However, these inspections would be covered by the local agency [Mecklenburg County]. DAQ asked if R4 would reach out to the local agency and R4 responded that they would.

Another ongoing area of interest for the AEB is the MON wastewater requirements. This is an area that R4 has been investigating for several years and has found some problems. However, there are no MON inspections planned at this time for NC. AEB asked if there were any other MON facilities that DAQ or APCD would like to consider and they stated that there were none at this time. The offer to add or discuss additional inspections or request EPA assistance is ongoing and can be done at any time.

2. The second area was Stopping After Market Defeat Devices. Todd Groendyke stated that EPA will be inspecting in this area and will be using online searches to find the operations. The targets for this area are facilities that actively sell and/or install defeat devices. Many of these locations can be found by searching for "diesel performance" and "diesel tuning." DAQ stated

the Susan Bodine spoke at a conference in Baton Rouge on this topic and DAQ asked what the regional focus would be. Todd G. stated that the region is not interested in individual citizens. EPA HQ focused on manufacturing, but the region will focus on shops that sell online or work on diesel engines to bypass controls. This program was administered by OECA, but it was determined that the regions would have more resources and it would be more efficient to have regional implementation. Ruby's in Burlington, NC, has been an action taken by HQ in the past. The case has been referred to DOJ and is going through negotiations. DAQ stated that, although they do not have the authority for this specific program, the mobile source group I Steve Hall's section would be interested in learning more about this area. The mobile source compliance branch handles the inspection and maintenance program, vapor recovery inspections, the transportation conformity, DERA grants, and the VW settlement. Notice of EPA inspections should be given to Steve Hall.

3. Reducing Risk of Accidental Releases. This is primarily the RMP program. EPA's focus is on targeting sources in nondelegated states. DAQ has delegation of the RMP program and it is administered in Steve Hall's section. Mike Reed is the state coordinator and he coordinates with state regional offices. There are 1 or 2 inspectors in each regional office that specializes in RMP inspections. Each regional office has RMP 10 – 15 inspections to perform each year. RMP is also included in the Title V permit conditions and is touched on during the normal air inspections and then is followed up by a full RMP inspection. High priority facilities are inspected once every 2 years. There are currently no inspections planned for EPA at this time for FY20, but EPA will let them know if that changes. The regional area of interest are ammonia facilities. Meat and poultry processing plants that have large ammonia systems. It was noted that, for NCI areas, EPA would look to taking the lead for any compliance issues but will coordinate with DAQ. Notice of inspections would go to Steve Hall.
4. Other Regional AEB Activities
 - a. Mobile Source Imports – this area targets uncertified engines being brought into the country that are noncompliant with the EPA emission standards. AEB inspects suspected imports at the ports and with the help of Customs and Border Protection. DAQ asked if the port would be in trouble for noncompliance. Todd G. stated that the short answer is that the importer would be where the liability would lie.
 - b. Asbestos – Asbestos is delegated to DAQ but then is contracted out to a sister agency, the Department of Health and Human Services (DHHS). The funding for the program is passed through by a MOU between DAQ and DHHS. Inspection and enforcement are both handled by DHHS and the MOU specifies the level of work and the number of inspections. For asbestos questions, contact Steve Hall and he will coordinate with DHHS.
 - c. EPCRA – this is a federally implemented program. However, DAQ would like to have notice of EPA's EPCRA inspections prior to the date of the inspection. The contact for these inspections is Steve Hall.
 - d. Shredders – AEB has an inspector from R5 on detail that has been conducting shredder inspections. The targets are shredders that have a production rate of > 110 tons per

hour. The focus of the inspections is on PM and VOC emissions based on the SIP standards and under reporting of emissions using faulty emission estimates. CFC compliance is also being looked at. Some of these facilities are still old stack test emission factors that are outdated. The results are still being evaluated. Right now, the focus is on compliance determinations for the inspections that were conducted and, if problems are found, this area will continue to be inspected. DAQ stated that they have had conversations about shredders and their emission factor numbers. DAQ requested a copy of EPA's more current emission numbers. Todd Russo stated that he would send the information to Steve Hall, who would also be the person receiving the notice of the inspections. For CFCs, since scrap yards have safe disposal requirements, EPA is look at that at the same time. DAQ asked if there was a new certification for handlers to drop off appliances at scrap yards. AEB stated that there are 2 options for safe disposal: 1) the scrap yard can recover the refrigerant, and 2) the scrap yard can accept a statement that certifies tat the refrigerant has been recovered by a certified technician unless it is a Type I unit.

- e. General Duty 112r – targeting ammonia refrigeration facilities that are reporting slightly below the 10,000 lb RMP threshold. This is a federally implemented program. There are no inspections planned for NC at this time but, if that changes, AEB will provide notice.
- f. Energy Extraction – this is now combined with the air toxics excess emissions. The focus for FY2020 is on NSPS OOOO and OOOOa. Based on the information that AEB has, there are not scheduled inspections for NC. However, AEB asked if DAQ knew of any facilities. DAQ responded that there may be compressor stations subject to NSPS OOOOa along the new Atlantic Coast pipeline. The pipeline is permitted but not constructed along the NC and Virginia state line. DAQ will pull a list together of NSPS OOOO and OOOOa facilities from its compliance database. DAQ did mention PSNC Mill Creek (I believe it stood for Public Service Company of North Carolina) located Polk County as being subject to NSPS OOOOa for fugitive emissions. DAQ will provide the permits and inspection report for the AEB screening.
- g. Lead – this is not an NCI area, but EPA is looking at lead sources in each state. Todd Russo stated that there in one source listed for NC. That is Johnson Controls in Kernersville, NC. DAQ stated that the facilities are within the purview of the Forsyth County local program. Asked if there were any other sources that came to mind, DAQ said they would take a look.
- h. Ongoing Investigations – there was an acknowledgement of the ongoing investigations of Hexion. AEB stated that a package is being prepared for DOJ and the target is for early next fiscal year. DAQ asked if there was any way they could learn more about the case, such as entering into a confidentiality agreement before the FY20 filing. AEB stated that the confidentiality agreement is between DOJ and the state/local program, not the region. DAQ stated that they cannot understand the violation they are a little unsettled in not knowing. This facility is in a very sensitive community area so, if there is something serious, DAQ would like to know. AEB will investigate what can be done.
- i. Open Discussion –

- i. Todd Russo stated that if there are any equipment or training needs, to let AEB know. DAQ asked if there is any equipment that can be used to target PFOS. DAQ stated that, so far, the answer has been no, but they want to keep up with what is current.
- ii. Todd Russo offered any assistance AEB can provide with the FLIR and other field equipment, if it is needed.
- iii. DAQ asked if there was going to be another compliance/enforcement conference in the near future. DAQ stated that it would be good to have another one where EPA and the State/Local counterparts can get together to discuss issues and concerns.

To Do List

1. Notify DAQ when AEB reaches out to the Mecklenburg County local program to discuss upcoming NESHAP 6B inspections in Charlotte.
2. Send DAQ a copy of the current EPA emission factors used for PM and VOCs at scrap shredders.
3. Follow up with DAQ on the listing of sites subject to NSPS OOOO and OOOOa. Also, DAQ stated that they would provide any permits and inspection reports for the PSNC Mill Creek facility that is subject to NSPS OOOOa.
4. Determine if there are any options for providing DAQ with more information on the violations being investigated/pursued at Hexion since it is too early for a confidentiality agreement.
5. Investigate if EPA has any equipment that can be used to target PFOS.
6. DAQ asked if there are any plans for another EPA Air Compliance/Enforcement Meeting with the state/local agencies.
7. Send David Abbott's training schedule. Not stated but would be consistent.